

Notice of Allowability	Application No.	Applicant(s)	
	10/069,627	DEPOOT ET AL.	
	Examiner	Art Unit	
	John M Petruncio	1751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to telephone communication of June 24, 2004.
2. ☒ The allowed claim(s) is/are 1,3 and 6-13.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>3/17/03</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Armina E. Matthews, Esq. on June 24, 2004. Applicants reserve the right to file a continuing application(s) to seek coverage for invention embodiments cancelled hereinbelow.

The application has been amended as follows:

IN THE CLAIMS:

At claim 1, line 2, following "solids" insert – wherein said one or more particulate solids includes a peracid --;

line 3, following "system" insert – wherein said polymeric stabilization system comprises a polymeric compound selected from anionic polyterephthalate polymers –

Cancel claims 2, 4, 5 and 14-19.

2. The following is an examiner's statement of reasons for allowance:

Claims 1, 3 and 6-13 directed to the subject aqueous liquid detergent composition comprising a particulate peracid including phthaloylamido

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peroxycaproic acid (PAP) and an anionic polyterephthalate polymer as defined in the instant specification at p. 14, paragraphs 2 and 3 wherein US Patents 4,702,857 and 5,415,807 to Gosselink and Gosselink et al, respectively, and US Pat. 4,968,451 to Scheibel et al are relied on as defining these polymers... see also p. 71, Example 2, Compartment 2 re polymer described in the Scheibel et al '451 patent, refinements thereof and related method of use for laundering fabrics are deemed allowable over the prior art of record, the most pertinent of which are US Pat. 4,992,194 to Liberati et al and WO 98/00504 to Dovey et al/The Procter & Gamble Company, in that this art does not disclose or suggest, individually or in combination, the subject composition or method of use defined by these claims. The Liberati et al '194 reference discloses an aqueous based stably suspended organic peracid such as PAP (col. 3, line 48 et seq) but is silent as to the anionic polyterephthalate polymer component. The Dovey et al '504 reference discloses that the bleach precursors components can be partially replaced by preformed peracids such as PAP (see p. 8, paragraph 2) and does disclose incorporation of polymeric soil release agents such as described in the Scheibel et al 4,968,451 patent (see p. 39, last paragraph) but in the context of a solid bleach precursor composition. Claims 1, 3 and 6-13 stand allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

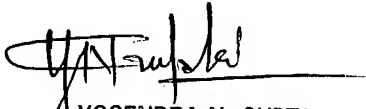
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Petruncio whose telephone number is (571) 272-1323. The examiner can normally be reached on Monday-Fridays from ~9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra Gupta, can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John M. Petruncio
June 24, 2004


YOGENDRA N. GUPTA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700